

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 421 be amended to read as follows:

- 1 Page 2, between lines 4 and 5, begin a new paragraph and insert:
2 "SECTION 2. IC 3-9-3-4 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) Money received by a
4 candidate or committee as a contribution may be used only:
5 (1) to defray any expense reasonably related to the person's or
6 committee's:
7 (A) campaign for federal, state, legislative, or local office;
8 (B) continuing political activity; or
9 (C) activity related to service in an elected office;
10 (2) to make an expenditure to any national, state, or local
11 committee of any political party or another candidate's
12 committee; or
13 (3) upon dissolution of a committee, in a manner permitted under
14 IC 3-9-1-12.
15 (b) Money received by a candidate or committee as a contribution
16 may not be used for primarily personal purposes by the candidate or by
17 any other person except as described in subsection (a) **and section 4.5**
18 **of this chapter.**
19 (c) Money received as a contribution may be invested by a
20 committee in an account with a financial institution, savings
21 association, or credit union, or in any equity account. Any loss resulting
22 from an investment under this subsection must be reported as a
23 committee expenditure. Any gain resulting from an investment under
24 this subsection must be reported as income.
25 SECTION 3. IC 3-9-3-4.5 IS ADDED TO THE INDIANA CODE
26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2005]: **Sec. 4.5. (a) This section applies to an individual**
28 **who leaves a state, legislative, local, or school board office after**
29 **June 30, 2005.**
30 **(b) As used in this section, "surplus" refers to the assets of a**
31 **candidate's committee, including cash on hand, after the payment**
32 **of expenditures described in section 4(a)(1) and 4(a)(2) of this**

chapter.

(c) An individual who leaves a state, legislative, local, or school board office may use all or part of the surplus in the individual's candidate's committee for:

(1) any of the purposes listed in IC 3-9-1-12; or

(2) the individual's personal purposes.

(d) If the individual elects to use all or part of the surplus in the individual's candidate's committee for the purposes described in subsection (c)(2), the individual must pay all applicable taxes on the amount before using the amount for those purposes."

Page 4, line 19, delete "." and insert ", or IC 3-9-3-4.5."

Page 7, line 3, delete "." and insert ", or IC 3-9-3-4.5."

Page 9, after line 39 , begin a new paragraph and insert:

"SECTION 6. IC 3-14-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 16. A person who knowingly or intentionally violates IC 3-9-3-4 or IC 3-9-3-4.5 commits a Class A infraction."

Renumber all SECTIONS consecutively.

(Reference is to SB 421 as printed February 16, 2005.)

Senator ANTICH-CARR